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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DAS ZMW

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

First Named Inventor:	Rajneesh Taneja et al.	Atty. Docket No.:	ABB1259P0210US
Serial No.:	09/955,801	Group Art Unit:	1615
Filed:	September 19, 2001	Examiner:	Humera N. Sheikh
Title:	Pharmaceutical Compositions of a Non-Enteric Coated Proton Pump Inhibitor With A Carbonate And BioCarbonate Salt Combination		

Attention: Office of Petitions
Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

Note: A grantable petition requires the following items: (1) petition fee, (2) reply and/or issue fee, (3) terminal disclaimer with disclaimer fee (required for all utility and plant applications filed before June 8, 1995), and for all design applications, and (4) statement that the entire delay was unintentional.

1. Petition Fee:

Small Entity Fee: \$750.00 - Applicant claims small entity status (See 37 CFR 1.27.)
 Other than Small Entity: \$1,500.00

2. Reply and/or fee:

A. The reply and/or fee to the above-noted Office Action in the form of (identify type of response):

has been filed previously on ___. 09/19/2005 MBIZUNES 00000004 09955801
 is enclosed herewith. 01 FC:1453 1500.00 OP

B. The Issue Fee of \$___. 1

has been paid previously paid on ___.
 is enclosed herewith. 1

3. Terminal disclaimer with disclaimer fee:

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer and disclaimer fee (37 CFR 1.20(d) of \$65.00 for a small entity, or \$130.00 for other than small entity, disclaiming a period equivalent to the period of abandonment is enclosed herewith.

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing date of a grantable petition under 37 C.F.R. 1.137(b) was unintentional. [Note: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D)].

Respectfully submitted,

By Martin L. Katz
Martin L. Katz, Reg. No. 25,011

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
Citigroup Center, Suite 3800
500 West Madison Street
Chicago, Illinois 60661-2511
312/876-1800

Enclosures: Fee payment.
 Reply
 Terminal Disclaimer Form.
 Small Entity Status Form.
 Other: _____

CERTIFICATE OF MAILING

I hereby certify that this Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on September 14, 2005


Laura Czech